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International Residual Mechanism for Criminal Tribunals

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International Residual Mechanism for Criminal Tribunals

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and of the Security Council the second annual report of the International Residual Mechanism for Criminal Tribunals, submitted by the President of the Mechanism in accordance with article 32 (1) of the statute of the Mechanism (see Security Council resolution 1966 (2010), annex 1).

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Letter of transmittal

Letter dated 1 August 2014 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the General Assembly and the President of the Security Council

I have the honour to submit the second annual report of the International Residual Mechanism for Criminal Tribunals, dated 1 August 2014, to the General Assembly and the Security Council, pursuant to article 32 (1) of the statute of the Mechanism.

(*Signed*) Theodor **Meron**
President

Second annual report of the International Residual Mechanism for Criminal Tribunals

Summary

The present report outlines the activities of the International Residual Mechanism for Criminal Tribunals from 1 July 2013 to 30 June 2014.

Following the opening of its branch in The Hague on 1 July 2013, the Mechanism is now operating on two continents and performing functions inherited from both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. These functions include attending to certain judicial matters, providing protection to witnesses, supervising the enforcement of sentences and managing archives.

During the reporting period, the President supervised matters related to the management of the Mechanism, coordinated the work of the Chambers and issued a number of orders and decisions, including on applications for early release and the designation of States in which convicted persons are to serve their sentences. The Appeals Chamber held a hearing in its first appeal from a judgement and issued a number of decisions in that and other cases. In addition, single judges rendered a substantial number of orders and decisions, primarily concerning the variation of protective measures for witnesses.

The Office of the Prosecutor focused on the activities within its remit, including the tracking of the remaining fugitives indicted by the International Criminal Tribunal for Rwanda, the rendering of assistance to national authorities and the prosecution of the Mechanism's first appeal from a judgement. In addition, the Office of the Prosecutor established systems and procedures to streamline its operations and ensure greater coordination between its offices at the two branches.

The Registry provided and coordinated a wide range of administrative and judicial support services for the Mechanism. It offered protection and support services to witnesses, worked on various aspects of the enforcement of sentences handed down by the Tribunals and collaborated with the Tribunals on the preparation of records and archives for transfer to the Mechanism. The Registry also assisted in the conclusion of a host State agreement with the United Republic of Tanzania and is managing the construction of the new premises for the Arusha branch. On the administrative front, the Mechanism continued to recruit a diverse and experienced staff.

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I. Introduction

1. The second annual report of the International Residual Mechanism for Criminal Tribunals outlines the activities of the Mechanism for the period from 1 July 2013 to 30 June 2014.

2. On 1 July 2013, the Mechanism opened its branch in The Hague. As a result, the Mechanism now has branches on two continents; the first branch, located in Arusha, United Republic of Tanzania, opened on 1 July 2012. Consistent with its statute and the transitional arrangements, the Mechanism has now assumed certain responsibilities and functions from the International Tribunal for the Former Yugoslavia, in addition to those functions transferred from the International Criminal Tribunal for Rwanda during the previous reporting period.

3. The Mechanism's mandate includes ensuring the trial of fugitives who are among the most senior leaders suspected of being the most responsible for crimes. To date, all fugitives indicted by the International Tribunal for the Former Yugoslavia have been apprehended and transferred to the Tribunal for trial. Among the persons indicted by the International Criminal Tribunal for Rwanda, nine individuals are still at large. Three of the nine are expected to be tried by the Mechanism; the cases of the remaining six have been referred to Rwanda for trial.

4. The Mechanism has also been mandated to conduct a number of other judicial activities, consistent with the provisions of its statute and the dates specified in the transitional arrangements. These activities include retrials of cases completed by the two Tribunals, appeals of their judgements and sentences, reviews of their proceedings, and contempt of court and false testimony cases.

5. In addition, the Mechanism has been tasked with assuming certain functions from the two Tribunals, including protection of victims and witnesses who have testified in the Tribunals' or the Mechanism's cases, management of the Tribunals' and the Mechanism's archives, supervision of the enforcement of sentences handed down by the Tribunals, responding to requests for assistance from national authorities in relation to the investigation or prosecution of those responsible for serious violations of international humanitarian law in the former Yugoslavia and Rwanda, and monitoring cases referred to national courts by the two Tribunals.

6. During the reporting period, the Mechanism conducted a range of judicial and other activities within its remit. In addition, the Mechanism further developed its legal and regulatory framework and engaged in significant recruitment efforts. Although it still relied on the Tribunals during the reporting period for support services, such as human resources, finance, budget, procurement, logistics, security, and information technology services, on 1 January 2014 the Mechanism began the gradual process of establishing its own administrative capacity.

II. Activities of the Mechanism

A. Organization

7. The Mechanism consists of three organs: (a) the Chambers, comprising a Trial Chamber for each branch of the Mechanism and an Appeals Chamber common to both branches of the Mechanism and presided over by the President; (b) the

Prosecutor, common to both branches of the Mechanism; and (c) the Registry, common to both branches of the Mechanism, which provides administrative services to the Mechanism, including the Chambers and the Prosecutor.

8. Each organ is headed by a full-time principal common to both branches and serving terms of four years. The President of the Mechanism is Judge Theodor Meron, the Prosecutor is Hassan Bubacar Jallow, and the Registrar is John Hocking.

9. The Mechanism is a temporary institution. As decided by the Security Council, the Mechanism shall operate for an initial four-year period, starting from 1 July 2012. Unless the Council decides otherwise, the Mechanism shall continue to operate for subsequent periods of two years, following reviews by the Council of the progress of the Mechanism's work, including in completing its functions.

B. Legal and regulatory framework

10. The Mechanism has continued to develop a structure to govern its activities, mindful of the need to develop rules, procedures and policies that harmonize and build upon the best practices of both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. During the reporting period, the Mechanism adopted practice directions on the requirements and procedures for appeals and the length of briefs and motions, and prepared other regulatory documents and policies.

C. Mechanism Coordination Council

11. Pursuant to rule 25 of the Mechanism's Rules of Procedure and Evidence, the Mechanism Coordination Council is composed of the President, the Prosecutor and the Registrar and meets on an ad hoc basis to coordinate the activities of the three organs of the Mechanism. The Council has met to discuss, inter alia, issues relating to the establishment of the Mechanism, the transfer of functions from the two Tribunals, budgetary matters, the regulatory framework and other matters of common concern. The Mechanism Coordination Council has also held joint meetings with the Coordination Council of the International Criminal Tribunal for Rwanda to discuss cross-cutting issues relating to the provision of services, budgetary matters and the transition of functions.

D. Rules Committee

12. The President assigned two Mechanism judges to a Rules Committee, namely Judge Vagn Joensen and Judge Carmel Agius, who are also the Chairs of the Rules Committees of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, respectively. The Mechanism's Rules Committee is considering a number of proposals for amendments to the Rules.

E. Coordination with other tribunals

13. During the reporting period, the Mechanism coexisted with both the International Criminal Tribunal for Rwanda and the International Tribunal for the

Former Yugoslavia and benefited greatly from the two predecessor institutions, receiving significant operational and administrative support from them. The staff of the three institutions have worked together closely and shared institutional knowledge, expertise and lessons learned.

III. Activities of the President and the Chambers

A. Principal activities of the President

14. The President, in his capacity as the head of the Mechanism, engaged in many issues relating to the establishment and management of the Mechanism. He developed and adopted practice directions, held regular meetings with the Registrar on operational matters and represented the Mechanism in a variety of forums.

15. As mandated by the statute, during the reporting period the President submitted two six-monthly reports on the progress of the Mechanism to the Security Council and twice briefed the Council on the work of the Mechanism, in December 2013 and June 2014. In addition, the President presented the Mechanism's first annual report to the General Assembly (A/68/219-S/2013/464) in October 2013.

16. In November 2013, the President made his second visit to Rwanda as part of an official mission by representatives of both the International Criminal Tribunal for Rwanda and the Mechanism, which included the President of the Tribunal and the "double-hatted" Prosecutor of the Tribunal and the Mechanism. The representatives of both entities met with Rwandan officials to provide an update on the ongoing transition of the Tribunal's responsibilities and functions to the Mechanism. The President also visited countries of the former Yugoslavia to engage with government officials, attend public events and meet with victims' groups. In addition, he met with State officials and victims' groups from the former Yugoslavia in other locations, including The Hague.

17. In his judicial capacity, the President issued numerous assignment orders, as well as six decisions granting early release, a decision provisionally recognizing a sentence remission, six orders designating an enforcement State and other confidential orders and decisions. He ruled on two requests for administrative review of a decision by the Registrar of the Mechanism, one of which was confidential. The President dismissed without prejudice three requests for revocation in relation to cases transferred to Rwanda for prosecution and issued two other decisions relating to referred cases. He also partially denied a motion in a contempt-related matter. In addition, the President presided over the Appeals Chamber and served as pre-appeal judge on the Mechanism's first appeal from judgement, in the case of *Augustin Ngirabatware v. the Prosecutor*.

B. Principal activities of single judges/duty judge

18. During the reporting period, the Mechanism received a number of requests for access to confidential information or variation of protective measures for use in national proceedings under rule 86 of the Rules. At the Arusha branch, Judge Vagn Joensen, as the single judge, issued seven decisions on such requests during the reporting period. Similarly, at the Hague branch, Judge Bakone Justice Moloto

issued 23 such decisions during the reporting period. He also issued a decision concerning protective measures under rule 76 of the Rules.

19. In addition, Judge Joensen rendered four decisions denying post-appeal requests in the *Eliézer Niyitegeka* case and two decisions on allegations of contempt arising out of the *Augustin Ngirabatware* case. He also issued a decision and an order with respect to two confidential matters. Judge Moloto issued two decisions in contempt-related matters, an order following the receipt of material from a State and an order concerning a request for redaction and reclassification of material. Judge Burton Hall issued a decision on a confidential matter and an order concerning a request for redaction and reclassification of material.

20. In May 2014, at the request of the Prosecutor, Judge Joensen vacated the warrants from the International Criminal Tribunal for Rwanda for the arrest of Fulgence Kayishema, Phénéas Munyarugarama, Aloys Ndimbati, Ladislas Ntaganzwa, Charles Ryandikayo and Charles Sikubwabo, replacing them with Mechanism warrants for their arrest and transfer to Rwandan authorities. These warrants and orders are public and addressed to all Member States, which are obliged, under article 28 of the statute of the Mechanism, to comply with the requests without undue delay.

C. Principal activities of the Appeals Chamber

21. During the reporting period, the Appeals Chamber was seized of an appeal from judgement, concerning the *Augustin Ngirabatware* case. A trial chamber of the International Criminal Tribunal for Rwanda convicted Mr. Ngirabatware, a former Minister of Planning in Rwanda, of genocide, direct and public incitement to commit genocide, and rape as a crime against humanity, and sentenced him to 35 years of imprisonment. Mr. Ngirabatware appealed against the trial judgement, and the briefing was completed on 13 August 2013. The Appeals Chamber heard oral arguments in Arusha on 30 June 2014, after having rendered 10 pre-appeal orders and decisions. A decision in relation to three motions concerning the admission of additional evidence on appeal is pending, and a judgement is expected before the end of 2014.

22. In addition, as at the conclusion of the reporting period, the Appeals Chamber was seized of a request for review filed by Milan Lukić. The briefing in that case was completed on 10 April 2014. The President, in his capacity as either pre-review judge or presiding judge of the *Milan Lukić* case, rendered four orders and decisions dealing with various preliminary motions and other confidential requests. The Appeals Chamber also issued a decision on an appeal against a decision denying the revocation of the referral of the *Radovan Stanković* case to the authorities of Bosnia and Herzegovina, as well as a decision on appeals filed by Deogratias Sebureze and Maximilien Turinabo in relation to contempt proceedings.

23. As at 30 June 2014, the Appeals Chamber was seized of a request filed by Eliézer Niyitegeka for the assignment of counsel to assist him with an anticipated request for review. An additional confidential matter and a related motion were also pending before the Appeals Chamber.

IV. Activities of the Office of the Prosecutor

24. During the reporting period, the Office of the Prosecutor continued to discharge its mandate with respect to a variety of activities, including the tracking of fugitives, the rendering of assistance to national authorities, the monitoring of cases referred to national jurisdictions, the maintenance of fugitive files in anticipation of arrest and the prosecution of an appeal and other litigation before the Mechanism's Appeals Chamber.

25. In addition, the reporting period saw the establishment of systems and procedures to streamline operations and ensure greater coordination between the branches. The first joint branch meeting of the Office of the Prosecutor was held in Arusha in November 2013. Since then, the Prosecutor has issued two regulations (on the standards of professional conduct of prosecution counsel and on requests for assistance made by national authorities or international organizations to the Prosecutor) and an internal guideline (on disclosure of witness material in response to requests for assistance). In addition, the Prosecutor made available a guide on the Mechanism's website to assist authorities in making applications for variation of protective measures.

A. Arusha branch of the Office of the Prosecutor

26. The Arusha branch of the Office of the Prosecutor is fully staffed, with a total of 15 core staff in Arusha and the Kigali sub-office. A prosecution appeals team is also in place to handle the appeal from the judgement in the *Augustin Ngirabatware* case (see below). In addition, the Prosecutor is preparing a roster of potential staff in anticipation of the arrest and trial of the Mechanism's fugitives. The Arusha branch continues to receive support, where necessary, from the Office of the Prosecutor of the International Criminal Tribunal for Rwanda to ensure the smooth transition of functions.

1. Fugitive tracking and trial readiness

27. The responsibility for tracking the remaining fugitives indicted by the International Criminal Tribunal for Rwanda has devolved to the Mechanism. The arrest and prosecution of the top three fugitives, Augustin Bizimana, Félicien Kabuga and Protais Mpiranya, is a key priority, and the Prosecutor has further intensified efforts to track those fugitives, with particular emphasis on the Great Lakes and southern African regions.

28. The Prosecutor continues to receive support from the International Criminal Police Organization, the United States Department of State, through its War Crimes Rewards Program, and some Member States, and he is grateful for the Security Council's renewed and essential call, in its resolution 2150 (2014), for all Member States to cooperate with the Mechanism in the arrest and prosecution of the nine remaining fugitives.

29. Pursuant to article 28 (3) of the statute, the Prosecutor continues to render assistance, where possible, to the tracking of the six fugitives whose cases have been referred to Rwanda (Fulgence Kayishema, Phénéas Munyarugarama, Aloys Ndimbati, Ladislas Ntaganzwa, Charles Ryandikayo and Charles Sikubwabo).

2. Appeal and post-appeal proceedings

30. During the reporting period, the prosecution appeals team assumed responsibility for defending the *Ngirabatware* trial judgement on appeal. Briefing has been completed, and three status conferences were held, on 10 July and 8 November 2013 and on 12 February 2014. The team responded to motions by Augustin Ngirabatware for the admission of additional evidence on appeal. Oral arguments were heard by the Appeals Chamber on 30 June 2014.

31. The Office responded to post-conviction requests filed by Eliézer Niyitegeka and two other convicted persons. Mr. Niyitegeka filed four motions, of which three were dismissed by a single judge during the reporting period. The Office also responded to two applications for early release and an application for disclosure of certain documents filed by three convicted persons, respectively.

3. Assistance to national jurisdictions

32. During the reporting period, the Arusha branch of the Office of the Prosecutor received 74 requests for assistance from 14 Member States and international organizations and hosted a delegation from a national prosecuting authority. Responding to such requests involved searching for, identifying, reviewing and analysing relevant material in the evidence and information databases of the Office of the Prosecutor, seeking the consent of witnesses or providers of confidential information and/or filing submissions in relation to applications for variation of protective measures.

4. Preservation and management of archives

33. During the reporting period, the Office of the Prosecutor of the International Criminal Tribunal for Rwanda transferred 330 boxes of material concerning five completed cases and early investigation records to the Arusha branch of the Office of the Prosecutor.

34. The Office of the Prosecutor of the Tribunal is also working to classify its evidence collection records in accordance with Secretary-General's bulletin ST/SGB/2012/3 entitled "International Criminal Tribunals: information sensitivity, classification, handling and access" and the Mechanism's standard for preparation and transfer of records — digital records, before they are transferred to the Arusha branch. While much has been achieved, there is still much more to be done.

5. Monitoring of cases transferred to national jurisdictions

35. The Prosecutor continued to monitor progress in referred cases, namely the cases of Wenceslas Munyeshyaka and Laurent Bucyibaruta, which were transferred to France in 2007, and those of Jean Uwinkindi and Bernard Munyagishari, which were transferred to Rwanda in 2012 and 2013, respectively. The Prosecutor's monitoring is distinct from that being conducted by the Mechanism pursuant to article 6 of the statute, described in section V below.

36. In the Prosecutor's view, substantial progress has been achieved in the pretrial phase of the *Munyeshyaka* proceedings in France, now expected to be concluded by the end of 2014, with any possible trial expected to commence and be concluded by the end of 2015. According to reports to the Prosecutor from the French authorities, it is expected that the pretrial phase of the *Bucyibaruta* proceedings will be

concluded by the end of 2015, with any possible trial anticipated to commence and be concluded by the end of 2016.

37. The *Uwinkindi* trial in Rwanda began in the High Court on 14 May 2014 and continued on 4 June 2014. Hearings were to resume on 4 July 2014. The *Munyagishari* case is in pretrial proceedings; a date has yet to be fixed for the commencement of the trial.

6. Other projects

38. The Arusha branch of the Office of the Prosecutor continued to work with its counterpart in the International Criminal Tribunal for Rwanda on a number of projects, including a best practices manual for the investigation and prosecution of sexual and gender-based violence launched in January 2014, a related training programme to be conducted in the Great Lakes region later in 2014, the development of a best practices manual on the referral of international cases to national jurisdictions, and a consolidated account of the Rwandan genocide based on facts adjudicated in the judgements of the Trial and Appeal Chambers of the Tribunal.

B. The Hague branch of the Office of the Prosecutor

39. The Hague branch of the Office of the Prosecutor began operations on 1 July 2013. It is almost fully staffed, with 10 core staff members on board. In addition, an advance prosecution appeals team was established to handle appeals against judgements of the International Tribunal for the Former Yugoslavia before the Mechanism's Appeals Chamber. While preparing to deal with the first appeal from a Tribunal judgement expected before the Mechanism, these staff members continue to assist the Office of the Prosecutor of the Tribunal. Recruitment is in progress for further advance appeal teams to be in place by January 2015. Double-hatting arrangements are in place to make efficient use of resources.

1. Contempt proceedings

40. The Hague branch of the Office of the Prosecutor responded to three requests concerning allegations of contempt filed by Radovan Karadžić.

2. Appeal and post-appeal proceedings

41. The Hague branch of the Office of the Prosecutor has been preparing for the eventuality of an appeal in the case of Vojislav Šešelj, who is currently awaiting judgement before the International Tribunal for the Former Yugoslavia.

42. The Hague branch of the Office of the Prosecutor also responded to the appeal of Radovan Stanković against a decision of the Referral Bench of the Tribunal denying his request to revoke the referral of his case to Bosnia and Herzegovina. The Appeals Chamber dismissed the appeal.

3. Review proceedings

43. The Hague branch of the Office of the Prosecutor responded to a request for review of judgement by Milan Lukić. The request for review is pending before the Appeals Chamber.

4. Assistance to national jurisdictions

44. On 1 July 2013, the servicing of requests for assistance from national authorities and international organizations in relation to cases from the International Tribunal for the Former Yugoslavia moved to the Office of the Prosecutor of the Mechanism, with the exception of requests relating to ongoing cases before the Tribunal. The Hague branch of the Office of the Prosecutor received 244 requests for assistance from seven Member States and one international organization. The number of requests for assistance received was higher than had been anticipated in the budget, and a temporary position was created to manage the resulting backlog. The Hague branch of the Office of the Prosecutor also cooperates closely with liaison prosecutors from Bosnia and Herzegovina, Croatia and Serbia embedded in the Office of the Prosecutor of the Tribunal. Responding to requests for assistance included locating relevant material, certifying documents, contacting witnesses and seeking the consent of providers of confidential information. In addition, the Hague branch of the Office of the Prosecutor filed 16 submissions in relation to applications by requesting authorities for variation of protective measures.

45. The Hague branch of the Office of the Prosecutor participated in the annual regional conference of prosecutors from the former Yugoslavia held in Brijuni, Croatia. The Office is also in the process of negotiating memorandums of understanding with prosecutors in countries of the former Yugoslavia to entrench cooperation and mutual legal assistance and ensure continuity as the Office takes over these responsibilities from the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia.

5. Requests from the Registrar of the Mechanism

46. During the reporting period, the Hague branch of the Office of the Prosecutor responded to requests for information from the Registrar of the Mechanism concerning the administration of sentences for 10 convicted persons.

6. Preservation and management of archives

47. The Hague branch of the Office of the Prosecutor is working with the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia to prepare to hand over records from the latter to the former.

V. Activities of the Registry

48. The Registry is responsible for the provision of legal, judicial, policy, diplomatic and administrative support to the Mechanism's operations. In addition, it played a key role in the commencement of the Hague branch operations on 1 July 2013.

A. Administration, staffing and facilities

49. During the reporting period, the General Assembly, in its resolution 68/257, approved the Mechanism's budget presented by the Registrar in its entirety. In that resolution, the Assembly appropriated a total amount of $120,296,600 gross ($112,831,500 net) for the biennium 2014-2015. The budget includes: (a) a total of 30 new posts to set up a small independent administration for the Mechanism;

(b) the continuation of the 67 substantive posts approved in 2012-2013; and (c) the establishment of 29 substantive posts, which were previously provided under the budgets of the two Tribunals through the double-hatting arrangement. The post of Registrar continues to be funded by the budget of the International Tribunal for the Former Yugoslavia under the double-hatting arrangement throughout the biennium.

50. With the gradual introduction of the 30 administrative posts, the Mechanism began to transition away from dependence on the Tribunals. The transfer of administrative functions to the Mechanism began on 1 January 2014 and is being implemented gradually over the biennium, in step with the downsizing of the Tribunals and with a focus on ensuring efficiency, accountability and consistency.

51. As at 30 June 2014, a total of 133 staff (regular posts and general temporary assistance) had been recruited for the Mechanism: 67 for the Hague branch and 66 for the Arusha branch, including Kigali. The Mechanism's staff includes nationals of 48 States. Approximately 83 per cent of those recruited are current or former staff of the two Tribunals, and 49 per cent of all staff are female and 51 per cent male. Among staff in the Professional and higher categories, 51 per cent are female and 49 per cent male.

52. The Hague branch is co-located with the International Tribunal for the Former Yugoslavia, while the Arusha branch continues to be co-located with the International Criminal Tribunal for Rwanda but is expected to move to its new premises in 2016. The budget for the construction of the premises of the Arusha branch, included in the overall budget of the Mechanism, was approved by the General Assembly in its resolution 68/257 of 27 December 2013, and on 30 January 2014 the Secretary-General submitted his third report on the project (A/68/724).

53. The construction of the premises of the Arusha branch is proceeding as planned. The Mechanism concluded the contract with an architectural and engineering consultancy firm in February 2014 and published an expression of interest for the procurement of the services of a construction firm. On 5 February 2014, the United Nations and the Government of the United Republic of Tanzania signed an agreement concerning the construction of the premises. The Government of the United Republic of Tanzania will construct access roads and the facilities required to connect utilities to the site, in addition to generously providing the United Nations with the right of occupancy of the land at no cost. The Mechanism is grateful for the cooperation of the Government of the United Republic of Tanzania and for the technical advice of the Secretariat, in particular the Office of Central Support Services and the Office of Legal Affairs.

B. Support for judicial activities

54. The Registry supported judicial activities in both branches of the Mechanism by preparing and managing case hearings, processing judicial filings, assigning and remunerating defence teams and providing translations of correspondence and judicial documents.

55. Furthermore, the Registry coordinated the creation of rosters of qualified potential staff from both within and outside the two Tribunals in order to ensure that the Mechanism can expand its staffing component rapidly in the event of sudden judicial activity, for instance following the arrest of a fugitive.

56. In addition, the Registry expanded a roster of qualified counsel under rule 43 (B) of the Rules who can be assigned to suspects or accused, as well as a roster of duty counsel under rule 43 (C) of the Rules who are readily available to be assigned to an accused for the purposes of an initial appearance.

C. Support for other mandated activities

1. Witness support and protection

57. Pursuant to its statute and the transitional arrangements, the Mechanism is now responsible for witness support and protection functions in relation to thousands of witnesses who had testified in cases completed by the two Tribunals.

58. The Arusha branch of the Witness Support and Protection Unit continued to provide support to the witnesses who had testified in cases completed by the International Criminal Tribunal for Rwanda, including specialized care for witnesses who were victims of sexual or gender-based violence during the Rwandan genocide. In collaboration with government security agencies, as well as with the Office of the United Nations High Commissioner for Refugees in the case of refugee witnesses, both branches of the Unit ensured that reports of security concerns from witnesses were resolved quickly and satisfactorily. In addition, the Hague branch of the Unit continued to work on relocating protected witnesses.

59. As part of the commitment to continue strengthening the maintenance of witness-related records received from the International Criminal Tribunal for Rwanda, the Witness Support and Protection Unit began work on a witness database that would serve as a streamlined common tool for storing and maintaining witness information at both branches of the Mechanism.

60. At both branches, the Witness Support and Protection Unit continued to contact witnesses in response to requests from national jurisdictions seeking the rescission, variation or augmentation of protective measures pursuant to rule 86 of the Rules. The number of consultations with witnesses increased over the reporting period owing to an increased number of such requests.

2. Archives and records management

61. The archives of the two Tribunals, for which the Mechanism will take responsibility, comprise approximately 15,000 m of physical records and nearly 3 PB of digital data, including more than 100,000 hours of audiovisual recordings.

62. During the reporting period, the Mechanism Archives and Records Section continued to work closely with the Tribunals on the preparation of their records and archives for transfer to the Mechanism. The Section provided advice, guidance and practical assistance to staff of the Tribunals and facilitated the transfer of active records to the Mechanism's offices and of inactive records to the Section's repositories for storage. Of the estimated total volume of the Tribunals' inactive physical records that are expected to be transferred to the Section by closure of the Tribunals, to date the Section has received approximately 30 per cent from the International Criminal Tribunal for Rwanda and 13 per cent from the International Tribunal for the Former Yugoslavia.

63. The Mechanism Archives and Records Section has assumed responsibility for temporary repositories for physical records in Arusha and The Hague, pending the development of permanent repositories in both locations. In Arusha, the Section is contributing to the design and development of the Mechanism's new premises by preparing specifications and estimates of resource requirements for the building that will house the archives and advising on requirements for storage of the Mechanism's active records. In The Hague, the Section is contributing to the development of functional requirements for housing the Tribunals' archives. The Section is also determining the requirements for a digital repository for the preservation of the Tribunals' digital archives.

64. During the reporting period, the Mechanism Archives and Records Section continued to develop the Mechanism's records and archives policies, including a record-keeping policy, an e-mail policy, standards on storing metadata, records retention schedules, and guidelines on managing sensitive information. The Section has also begun developing a comprehensive electronic document and record management system for non-judicial records and is contributing to the development of a system for judicial records.

65. On 1 January 2014, the Mechanism Archives and Records Section assumed responsibility for managing the resource and research centre of the International Criminal Tribunal for Rwanda, which is one of the best international law research resources in East Africa. The centre provides research and reference services to the Tribunal and Mechanism staff, as well as to external users, including the general public. On 1 March 2014, the Section also assumed responsibility for managing the Judicial Records Unit of the International Tribunal for the Former Yugoslavia, which manages that Tribunal's judicial records and is preparing them for transfer to the Mechanism.

3. Enforcement of sentences

66. During the reporting period, the Arusha branch was enforcing up to 29 sentences in 2 countries and the Hague branch was enforcing up to 21 sentences in 14 countries. The Mechanism actively sought the cooperation of existing enforcement States in enforcing the sentences of the two Tribunals and continued efforts to negotiate additional agreements with States in order to increase its enforcement capacity. Pursuant to decisions by the President, the Registry also oversaw the early release of three persons convicted by the International Criminal Tribunal for Rwanda and seven persons convicted by the International Tribunal for the Former Yugoslavia.

67. The Registry has developed a model sentence enforcement agreement that reflects the new legal framework of the Mechanism and current practice in the enforcement of sentences. The model agreement forms the basis for negotiations with potential enforcement States.

68. The Mechanism is grateful to those Member States that are enforcing sentences and to those that are willing to consider concluding sentence enforcement agreements. The Mechanism is also grateful to the Department of Safety and Security of the Secretariat, the designated official in Mali and the United Nations Multidimensional Integrated Stabilization Mission in Mali for their advice and reports regarding the security situation in Mali, where a number of convicted persons under the responsibility of the Mechanism are serving their sentences.

4. Assistance to national jurisdictions

69. The Registry facilitates requests from national authorities, or parties to national proceedings, for assistance in connection with the investigation and prosecution of individuals charged in relation to the genocide in Rwanda or the conflict in the former Yugoslavia. During the reporting period, the Registry received, considered and responded to numerous requests for assistance, including requests to question detained persons and protected witnesses, to vary protective measures of witnesses and to retrieve and transmit confidential material to national authorities.

5. Monitoring of referred cases

70. In accordance with article 6 (5) of the statute, the Mechanism concluded two memorandums of understanding with an international body, the International Senior Lawyers Project, for the monitoring of cases referred to Rwanda and France by the International Criminal Tribunal for Rwanda. The Registry also approached other international and regional organizations or bodies to assist in identifying potential monitors. Staff members of the Mechanism and of the two Tribunals continued to monitor the cases pending the finalization of those arrangements. Public monitoring reports are available from the Mechanism's website.

6. External relations and information-sharing

71. The Mechanism's website is available in English and French and also provides basic information on the institution's mandate and activities in Kinyarwanda and Bosnian/Croatian/Serbian. During the reporting period, the website had 159,000 page views. The website's collection of documents is growing: it currently contains more than 400 documents in English and French, and work is ongoing to add judicial documents in Kinyarwanda and Bosnian/Croatian/Serbian. In addition, two major projects have been developed, namely the case law database of the two Tribunals, which is an international criminal justice research tool, and a website entitled "The ICTR remembers", which commemorates the twentieth anniversary of the 1994 genocide in Rwanda.

72. During the reporting period, the Mechanism took additional steps to ensure that key information is accessible to individuals in Rwanda and the former Yugoslavia. For example, in conjunction with the International Criminal Tribunal for Rwanda, the Mechanism registered 38 judgements translated into Kinyarwanda as official judicial records and is exploring how best to make these records accessible to more people in Rwanda.

VI. Conclusion

73. Consistent with its statutory mandate, the Mechanism now has branches on two continents and is engaged in performing functions inherited from both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. The Mechanism is committed to continuing to harmonize and adapt the jurisprudence, processes and procedures of the two Tribunals in order to build a small, efficient and unified institution that reflects and adheres to best practices.